

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTOPHER COLEMAN

Plaintiff,

V.

**P.O. FRANO, P.O. LAURETO, P.O. FICO,
and P.O. NAPOLI, individually**

Defendants.

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Case No. 08 C 1027

Judge Gettleman

Magistrate Judge Valdez

Jury Demand

SECOND AMENDED COMPLAINT

NOW COMES the Plaintiff, CHRISTOPHER COLEMAN, by and through his attorneys,
GREGORY E. KULIS AND ASSOCIATES, complaining against the Defendants, P.O. FRANO,
LAURETO, FICO, and NAPOLI, individually as follows.

COUNT I-EXCESSIVE FORCE

This action is brought pursuant to the Laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiff, and accomplished by acts and/or omissions of the Defendants committed under color of law.

- 1) Jurisdiction is based on Title 28 U.S.C. §1343 and §1331 and supplemental Jurisdiction of the State of Illinois.
- 2) The Plaintiff, CHRISTOPHER COLEMAN, is an United States citizen and permanent resident of the State of Illinois.
- 3) The Defendants, P.O. FRANO, LAURETO, FICO, and NAPOLI, were at all

relevant times, duly appointed police officers of the City of Chicago and at all relevant times, were acting within their scope of employment and under color of law.

4) On June 26, 2007, the Plaintiff, CHRISTOPHER COLEMAN, was sitting outside 157 N. Latrobe in Chicago, Illinois.

5) The Defendants pulled up on the scene.

6) Plaintiff CHRISTOPHER COLEMAN was not committing any crime or breaking any laws.

7) The Defendants jumped on the Plaintiff, handcuffed him and beat him.

8) Plaintiff CHRISTOPHER COLEMAN was injured.

9) Said use of force was unprovoked, excessive and unreasonable.

10) Said actions of the Defendants were intentional, willful and wanton.

11) Said actions of the Defendants violated Plaintiff CHRISTOPHER COLEMAN's Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights as protected by 42 U.S.C. §1983.

12) As a direct and proximate consequence of said conduct of the Defendants, P.O. FRANO, LAURETO, FICO, and NAPOLI, the Plaintiff, CHRISTOPHER COLEMAN, suffered violations of his constitutional rights, emotional anxiety, fear, pain and suffering and monetary loss and expense.

WHEREFORE, the Plaintiff, CHRISTOPHER COLEMAN, prays for judgment against the Defendants, P.O. FRANO, LAURETO, FICO, and NAPOLI, jointly and severally, in an amount in excess of TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00) DOLLARS in

compensatory damages and TEN THOUSAND AND 00/100 (\$10,000.00) DOLLARS in punitive damages, plus attorneys' fees and costs.

COUNT II-FALSE ARREST

1-10) The Plaintiff, CHRISTOPHER COLEMAN, hereby realleges and incorporates his allegations of paragraphs 1-10 of Count I as his respective allegations of paragraphs 1-10 of Count II as though fully set forth herein.

11) The Plaintiff was arrested to cover up the Defendants' illegal acts.

12) The Plaintiff was not committing a crime.

13) Plaintiff CHRISTOPHER COLEMAN was arrested and charged.

14) These charges were false.

15) The Defendants did not see Plaintiff CHRISTOPHER COLEMAN committing any crime.

16) The Defendants did not have probable cause to arrest Plaintiff CHRISTOPHER COLEMAN.

17) Said actions of the Defendants were intentional, willful and wanton.

18) Said actions of the Defendants violated Plaintiff CHRISTOPHER COLEMAN's Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights as protected by 42 U.S.C. §1983.

19) As a direct and proximate consequence of said conduct of the Defendants, P.O. FRANO, LAURETO, FICO, and NAPOLI, the Plaintiff, CHRISTOPHER COLEMAN, suffered violations of his constitutional rights, emotional anxiety, fear, pain and suffering and monetary

loss and expense.

WHEREFORE, the Plaintiff, CHRISTOPHER COLEMAN, prays for judgment against the Defendants, P.O. FRANO, LAURETO, FICO, and NAPOLI, jointly and severally, in an amount in excess of TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00) DOLLARS in compensatory damages and TEN THOUSAND AND 00/100 (\$10,000.00) DOLLARS in punitive damages, plus attorneys' fees and costs.

JURY DEMAND

The Plaintiff, CHRISTOPHER COLEMAN, requests a trial by jury.

Respectfully submitted,

/s/ Ronak Patel

GREGORY E. KULIS AND ASSOCIATES

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